

DRAFT PERMIT

Permit No: 200502038-SB

Municipality: Town of Guilford

Work Area: Joshua Cove off property located at 315 Old Sachems Head Road

Permittee: Caird Forbes-Cockell
315 Old Sachems Head Road
Guilford, CT 06437

Pursuant to sections 22a-359 through 22a-363f and 22a-28 through 22a-35 of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to retain stairs and install a pier, ramp and float for private recreational boating access as is more specifically described below in the SCOPE OF AUTHORIZATION, in Joshua Cove off property identified as the "work area" above.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in Application No. 200502038-SB, including six (6) sheets dated May 6, 2009, with the sheet entitled "Float Skid Detail" revised June 29, 2009 submitted by the Permittee to the Commissioner and attached hereto, as follows:

1. Retain a set of stairs at the western end of the site; and
2. Construct an approximately 4' wide by 48' long pier that terminates at mean low water and install a 3' wide by 34' long ramp and an 8' wide by 20' long float with skids oriented with the long axis parallel to shore and secured by four mushroom anchors.

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

SPECIAL TERMS AND CONDITIONS

1. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
2. The Permittee shall install the pier authorized herein by hand using hand held equipment during periods of low water. The soil removed to facilitate installation of the concrete pillar shall be removed and disposed of landward of the high tide line and outside of any tidal wetlands at an upland site approved for the disposal of such material in accordance with all applicable law.
3. The Permittee shall ensure that all work conducted by a water-based barge shall take place during periods of high water only in order to ensure that the barge does not rest on or come in contact with the substrate. Any such barge must move to deeper waters during periods of low water, but shall not interfere with navigation in the river or be berthed in an area of submerged aquatic vegetation or tidal wetland vegetation. It shall not be a defense to this provision for the Permittee to assert that they have no control over the operation of the barge.
4. The Permittee shall not conduct the work authorized herein from May 1 through September 30, inclusive, of any year to protect the state endangered black rail.
5. The Permittee shall remove the ramp and float authorized herein no later than November 15 of any calendar year and shall not install such ramp and float before April 15 of any calendar year. Upon removal of the ramp and float authorized herein, the Permittee shall store such structures at an upland location, landward of the high tide line and outside of tidal wetlands.
6. Any boat berthed at the dock authorized herein shall not interfere with general navigation in the river.
7. The Permittee shall install skids on the bottom of the float to minimize substrate disturbance. Such skids shall be maintained in optimal operating condition for the life of the structure.
8. Except as specifically authorized by this permit, no equipment or material including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
9. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
10. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the

Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums, and structures.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request at her sole discretion.
 - b. Any work authorized herein conducted after said work completion date or any authorized one-year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
6. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit/certificate, "pollution" means "pollution" as that term is defined by CGS section 22a-423.
7. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or access way in connection with such work, to their condition prior to the commencement of such work.

8. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

9. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
10. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
11. This permit may be revoked, suspended, or modified in accordance with applicable law.
12. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as the Commissioner authorizes a transfer.
13. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
14. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the

Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.

15. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates that may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
16. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
17. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
18. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
19. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
20. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on _____, 2009

**STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Betsey Wingfield
Bureau Chief
Bureau of Water Protection & Land Reuse**

Permit No. 200502038-SB
Caird Forbes-Cockell, Permittee

sb

OFFICE OF LONG ISLAND SOUND PROGRAMS

APPENDIX A

**TO: Permit Section
Department of Environmental Protection
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127**

PERMITTEE: Caird Forbes-Cockell
315 Old Sachems Head Road
Guilford, CT 06437

Permit No: 200502038-SB

CONTRACTOR 1:

Address:

Telephone #:

CONTRACTOR 2:

Address:

Telephone #:

CONTRACTOR 3:

Address:

Telephone #:

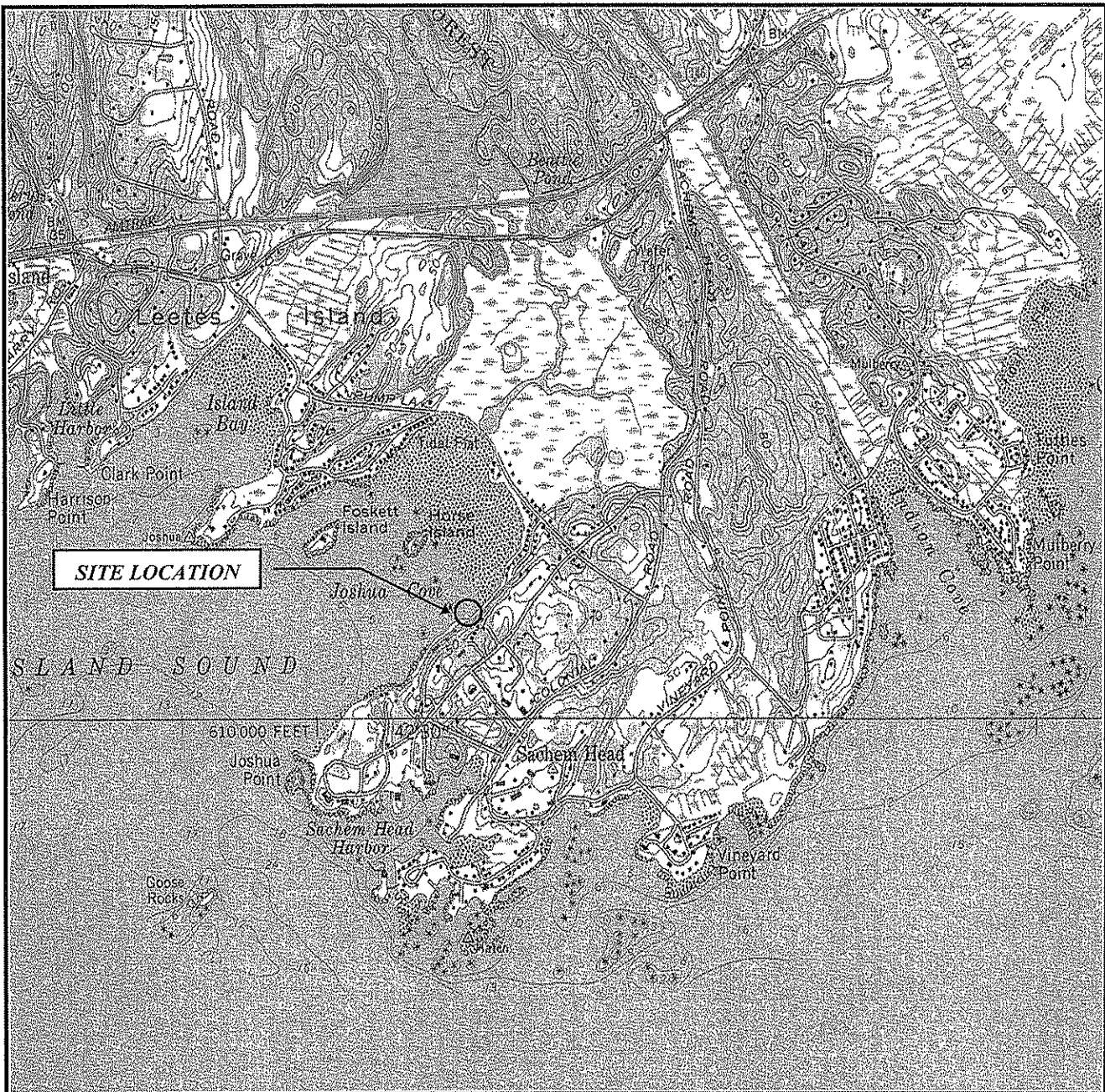
EXPECTED DATE OF COMMENCEMENT OF WORK: _____

EXPECTED DATE OF COMPLETION OF WORK: _____

PERMITTEE:

(signature)

(date)



SCALE: 1 = 12,000

MAP TAKEN FROM 7.5 MINUTE USGS TOPOGRAPHIC MAPS
OF THE GUILFORD, CONNECTICUT QUADRANGLE, 1960
(PHOTOINSPECTED 1976, PHOTOREVISED 1984).

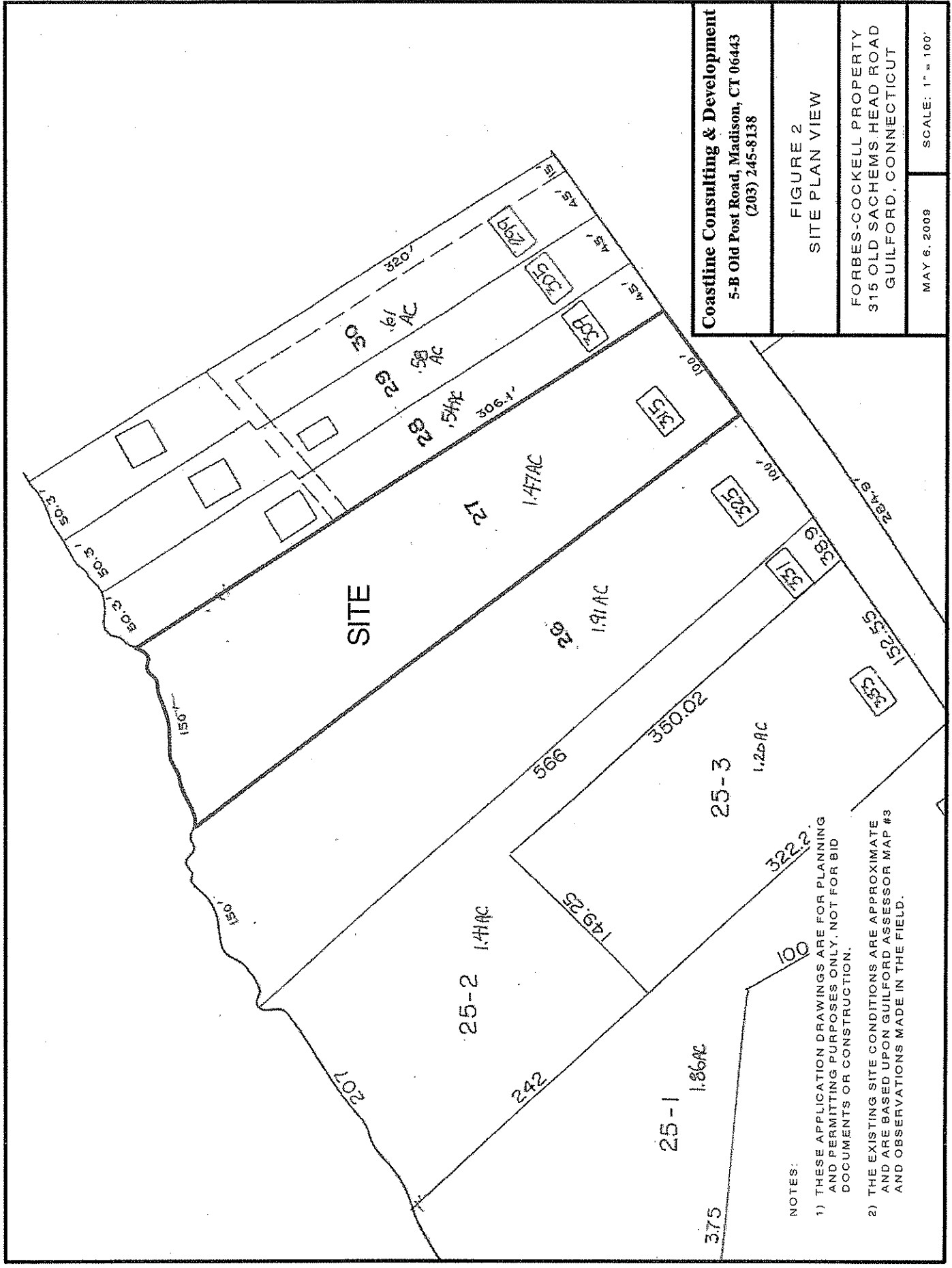
Coastline Consulting & Development
5-B Old Post Road, Madison CT 06443
(203) 245-8138

FIGURE 1
SITE LOCATION MAP

FORBES-COCKELL PROPERTY
315 OLD SACHEMS HEAD ROAD
GUILFORD, CONNECTICUT

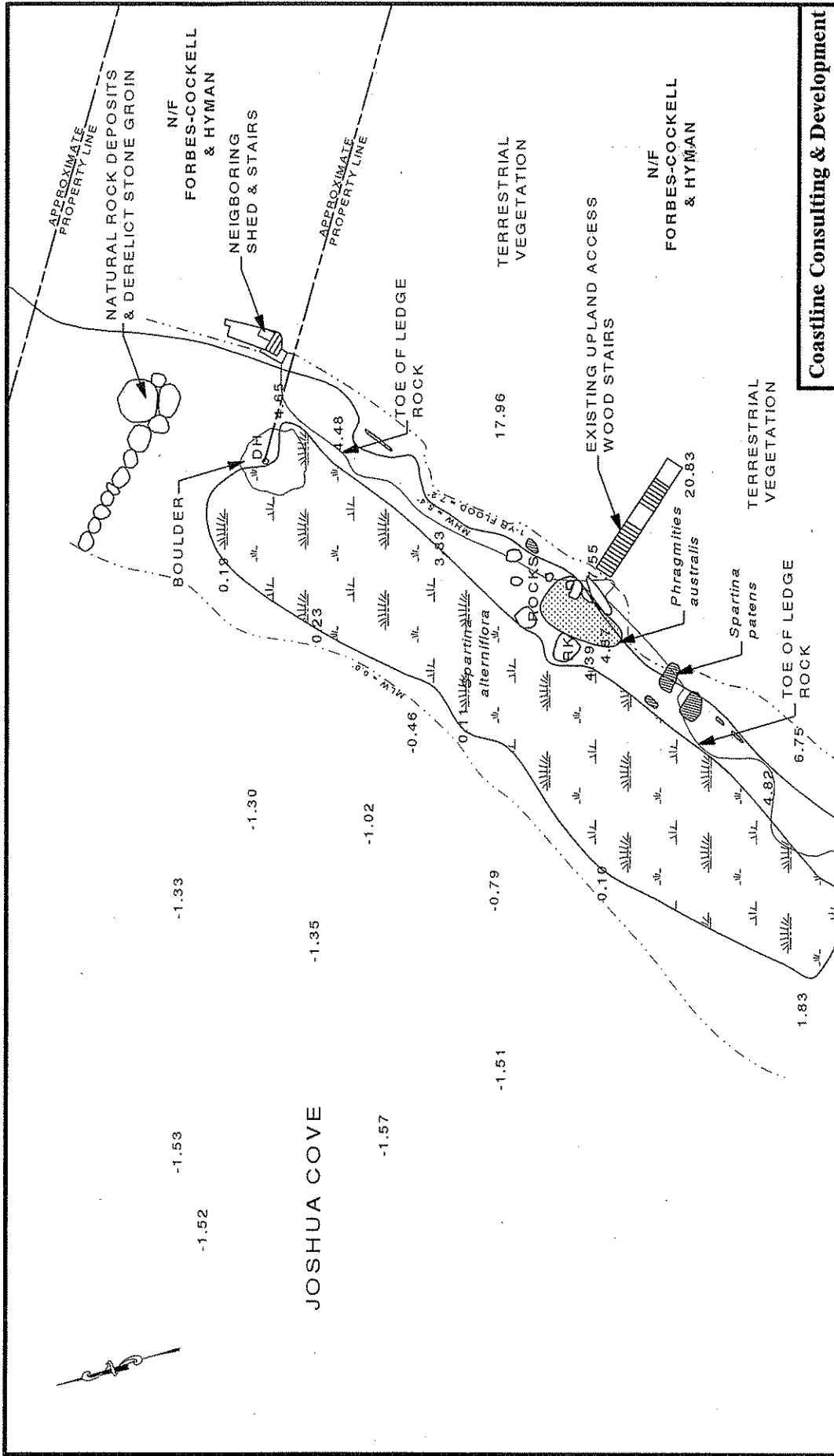
MAY 6, 2009

FILE NO.: 05-34



Coastline Consulting & Development 5-B Old Post Road, Madison, CT 06443 (203) 245-8138	
FIGURE 2 SITE PLAN VIEW	
FORBES-COCKELL PROPERTY 315 OLD SACHEMS HEAD ROAD GUILFORD, CONNECTICUT	
MAY 6, 2009	SCALE: 1" = 100'

- NOTES:
- 1) THESE APPLICATION DRAWINGS ARE FOR PLANNING AND PERMITTING PURPOSES ONLY. NOT FOR BID DOCUMENTS OR CONSTRUCTION.
 - 2) THE EXISTING SITE CONDITIONS ARE APPROXIMATE AND ARE BASED UPON GUILFORD ASSESSOR MAP #3 AND OBSERVATIONS MADE IN THE FIELD.



NOTES:

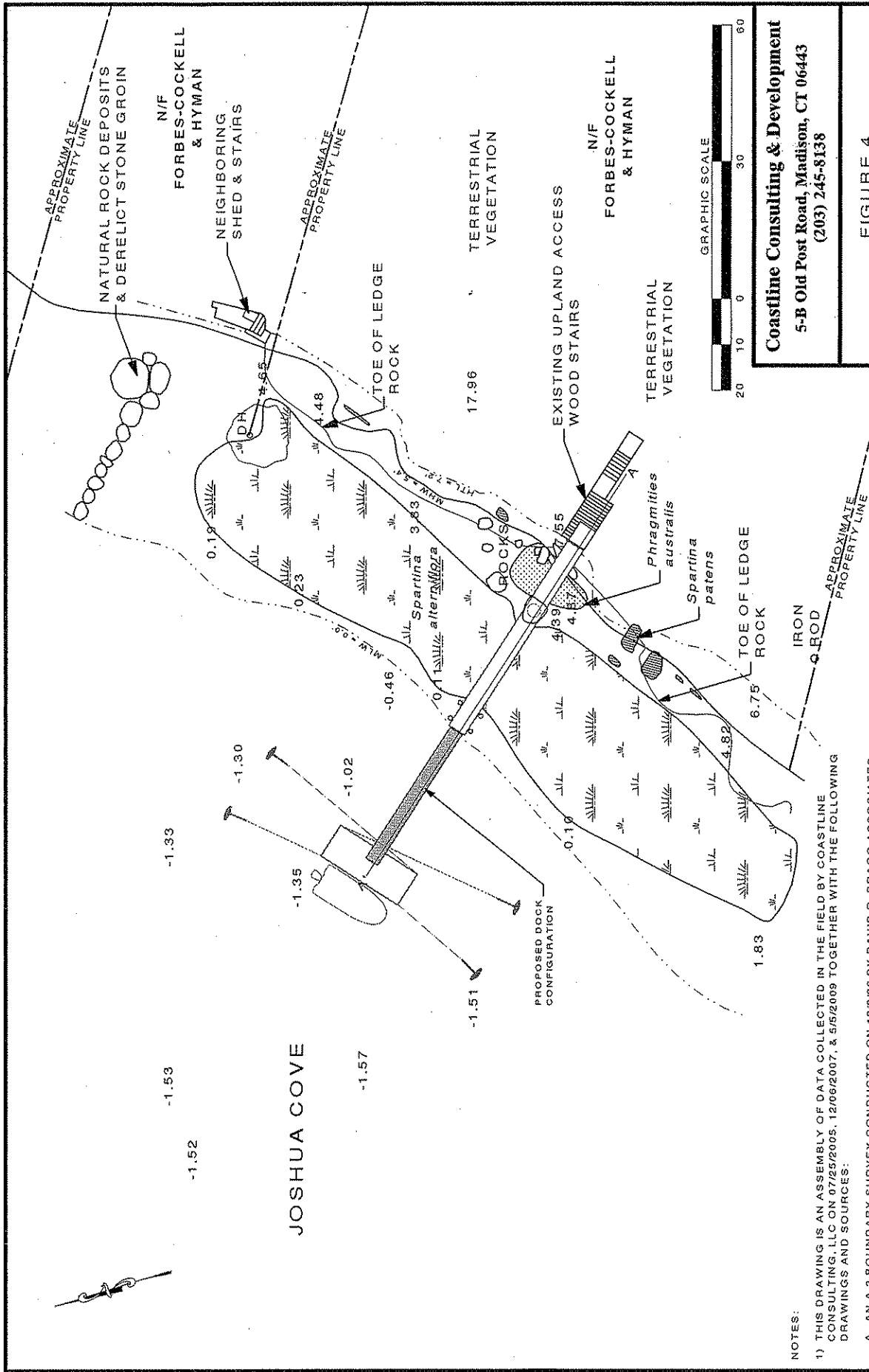
- 1) THIS DRAWING IS AN ASSEMBLY OF DATA COLLECTED IN THE FIELD BY COASTLINE CONSULTING & DEVELOPMENT, LLC ON 07/25/2005, 12/06/2007, & 05/05/09 TOGETHER WITH THE FOLLOWING DRAWINGS AND SOURCES:
 - A. AN A-2 BOUNDARY SURVEY CONDUCTED ON 12/08/86 BY DAVID R. BRAGG ASSOCIATES.
 - B. GUILFORD ASSESSOR MAP #3.
 - C. "MAP OF PROPERTIES OWNED BY FORBES-COCKELL AND HYMAN, GUILFORD, CONN." SCALE: 1" = 20', DATED APRIL 26, 2006 AND SURVEYED BY ROBERT C. HART, P.E. & L.S.
- 2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR STRUCTURAL DESIGN, BID DOCUMENTS, OR CONSTRUCTION.
- 3) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM.

Coastline Consulting & Development
 5-B Old Post Road, Madison, CT 06443
 (203) 245-8138

FIGURE 3
 EXISTING CONDITIONS

FORBES-COCKELL PROPERTY
 315 OLD SACHEMS HEAD ROAD
 GUILFORD, CONNECTICUT

MAY 6, 2009
 SCALE: 1" = 30'



NOTES:

- THIS DRAWING IS AN ASSEMBLY OF DATA COLLECTED IN THE FIELD BY COASTLINE CONSULTING, LLC ON 07/25/2005, 12/06/2007, & 5/5/2009 TOGETHER WITH THE FOLLOWING DRAWINGS AND SOURCES:
 - AN A-2 BOUNDARY SURVEY CONDUCTED ON 12/06/06 BY DAVID R. BRAGG ASSOCIATES.
 - GUILFORD ASSESSOR MAP #3.
 - "MAP OF PROPERTIES OWNED BY FORBES-COCKELL AND HYMAN, GUILFORD, CONN." SCALE: 1" = 20', DATED APRIL 26, 2006 AND SURVEYED BY ROBERT G. HART, P.E. & L.S.
 - "FIGURE 3 EXISTING CONDITIONS, FORBES-COCKELL PROPERTY 315 OLD SACHEMS HEAD ROAD GUILFORD, CONNECTICUT" SCALE: 1" = 30', DATED 5/6/2009 AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT
- THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR STRUCTURAL DESIGN, BID DOCUMENTS, OR CONSTRUCTION.
- SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM.

Coastline Consulting & Development
 5-B Old Post Road, Madison, CT 06443
 (203) 245-8138

FIGURE 4
PROPOSED CONDITIONS

315 OLD SACHEMS HEAD ROAD
GUILFORD, CONNECTICUT

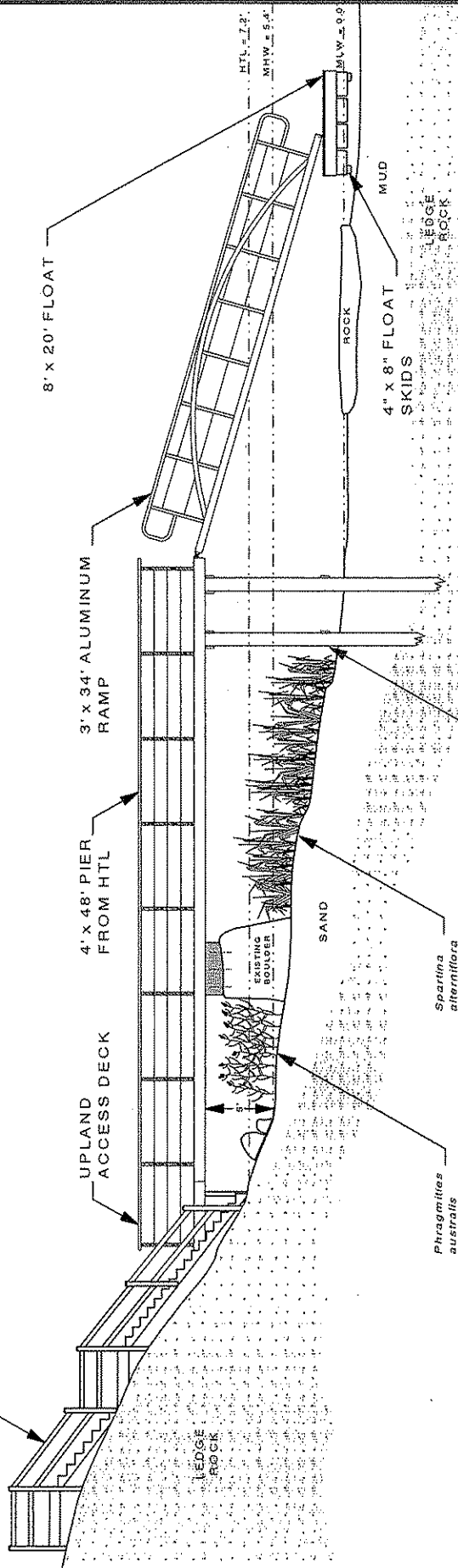
MAY 6, 2009

SCALE: 1" = 30'

A'

A

EXISTING UPLAND
ACCESS STAIRS



Coastline Consulting & Development
5-B Old post Road, Madison, CT 06443
(203) 245-8138

FIGURE 5
CROSS-SECTION A-A'

315 OLD SACHEMS HEAD ROAD
GUILFORD, CONNECTICUT

MAY 6, 2009

SCALE: 1" = 12'

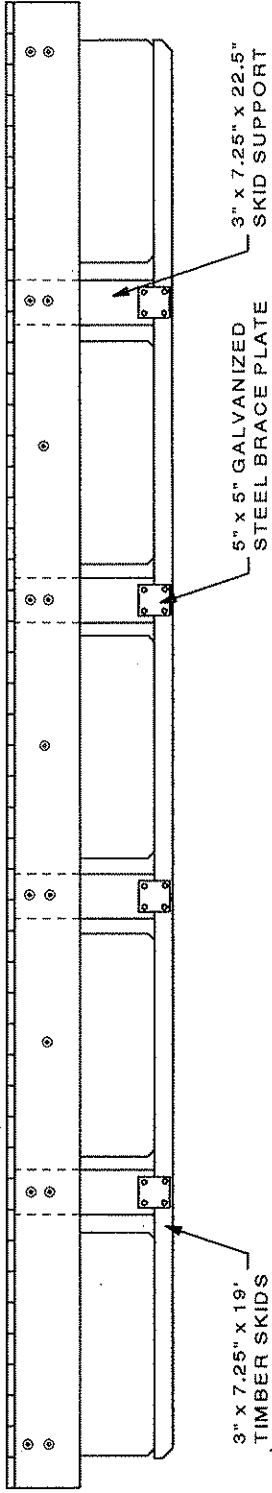


NOTES

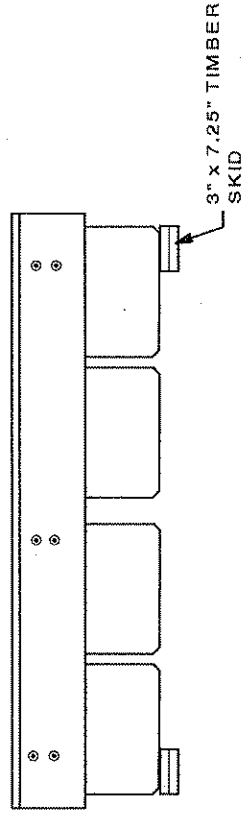
1) THIS DRAWING IS AN ASSEMBLY OF DATA COLLECTED IN THE FIELD BY COASTLINE CONSULTING, LLC ON 07/25/2005, 12/06/2007, & 5/5/2009 AND APPLICATION DRAWING TITLED "FIGURE 3 PROPOSED CONDITIONS, 315 OLD SACHEMS HEAD ROAD GUILFORD, CONNECTICUT" SCALE 1" = 30', DATED 5/6/2009 AND PREPARED BY COASTLINE CONSULTING & DEVELOPMENT, LLC

2) THIS DRAWING IS FOR PLANNING AND PERMITTING PURPOSES ONLY AND IS NOT INTENDED FOR STRUCTURAL DESIGN, BID DOCUMENTS, OR CONSTRUCTION.

3) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO THE MEAN LOW WATER (MLW) DATUM.



8' x 20' FLOAT WITH SKIDS - FRONT VIEW



8' x 20' FLOAT WITH SKIDS - SIDE VIEW

Coastline Consulting & Development
5-B Old Post Road, Madison, CT 06443
(203) 245-8138

FLOAT SKID DETAIL

FORBES-COCKELL PROPERTY
315 OLD SACHEMS HEAD ROAD
GUILFORD, CONNECTICUT

MAY 6, 2009
REV. JUNE 29, 2009

SCALE: 1" = 2.5'